

REGULAR MEETING AND PUBLIC HEARING  
OF THE FALLS CHURCH PLANNING COMMISSION  
January 21, 2009  
Council Chamber

1. CALL TO ORDER: Chair Lawrence called the meeting to order at 7:45.

2. ROLL CALL:

Members Present: Ms. Hockenberry  
Mr. Kearney  
Mr. Lawrence  
Mr. Meeks (arrived at  
8:13 p.m.)  
Ms. Rodgers  
Ms. Teates  
Mr. Wodiska

Administrative Staff Present: Ms. Cotellessa, General  
Manager of Development  
Services and Planning  
Director  
Mr. Fuller, Principal  
Planner

Chair Lawrence noted Mr. Meeks would arrive late; he was presenting the Open Space Acquisition report to City Council.

3. PLANNING COMMISSION REPORTS:

Ms. Teates reported she was a member of the steering committee for a facility site for the school board that PSA-Dewberry was doing and they had just finished four meetings with teachers, parents and various community groups trying to decide what they were looking for in a school facility. That part being done, the steering committee was working with PSA-Dewberry to figure out some of the different scenarios they could look at for the school facility. She wanted to report they were moving forward on that and there would be public meetings later on about the study.

Ms. Rodgers reported as a member of the Rec and Parks Board, that last week winter class registration started and people should get in touch with the community center for any classes they're interested in. Because of budget cuts, they were considering possibly raising slightly some of their fees and were hopeful it would be done to as few programs as possible. Park designs were going along as expected, the west end was having a problem with storm water issues but they were hoping to get over that soon. She noted Mr. Meeks was presenting the open space report tonight and they were hopeful that City Council would look favorably upon that report.

Ms. Hockenberry reported she had the pleasure of going to the EDA meeting a few weeks ago regarding The Eden Center. She was amazed at what she didn't know about it and what she found out about it.

She had a request of Mr. Fuller to obtain the report from the EDA with all the

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facts and figures that were given out at that meeting.

She learned Eden Center is a huge tourist attraction and was touted as the number one tourist attraction in the City of Falls Church, with buses coming from Canada and South Carolina bringing Vietnamese people. Eden Center has around 120 tenants and a large acreage. There were approximately 53 restaurants, food and beverage places, and over 200 square feet of retail space, with 30,000 square feet in the basement. It brings in about \$1,700,000 in tax money which was about 2.2 percent of the City's budget.

The wholesale store that went bankrupt, they were not too sure what they're going to do with it. They're either going to make it another inside mall like they did with the old Grand Union space or see if they could get another tenant. That was a space with about 77,000 square feet.

They're doing a lot of advertising in Vietnamese publications about their Moon Festival in the fall and the New Year festival this weekend. Tet would be separately celebrated.

The biggest problem that they would like help with from the City was regarding parking. There was always a conflict over the parking ordinance and the landscaping for it. It's come back and forth three or four times but they need more parking.

They were very pleased with how the police department had been working with them and crime had gone down and they haven't had as many problems as they did in the past.

She thought the facts and figures regarding the Eden Center would be of interest to the Planning Commission because of future development.

Chair Lawrence inquired if there was any discussion about the BJs that might go in and how that would affect Edens Center.

Ms. Hockenberry said there was no discussion other than the fact it was just across the street and was thought it would be very good. The developer related they were not surprised the wholesale place didn't work out because of the population involved.

She also noted that on January 19th the show No Reservations filmed a show there with Anthony Bourdain and she suggested maybe the City's PR department could obtain that.

#### 4. RECEIPT OF PETITIONS:

Chair Lawrence noted Mr. Jeff Peterson was representing The Library Board of Trustees and would get five minutes to speak. Chair Lawrence he also noted for full disclosure that he was on the Library Board of Trustees and had been for several years.

Jeff Peterson, (205 Tyson Drive) chairs the Space Committee of the Library Board of Trustees. Present with him were Brad Gernand, the chair of the Library Board of Trustees, and Mary McMahon, the library director. He wanted to give a short overview of the proposed expansion of the library that the Board of Trustees submitted to the City. It was included in the CIP document, even though it's not recommended by the City.

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He wanted to make three very basic points. Number one, the library was a cherished community resource for the City of Falls Church. Number two, the library desperately needed to expand to maintain the Class A standard that everyone had all come to expect. Three, the expansion needs could be met very inexpensively.

He didn't think he would have to try too hard to convince anyone that the library was one of the City's most cherished institutions. It is the intellectual heart of the City. 92 percent of all city residents have library cards. 15 to 20,000 people enter the library each month. 12,000 children participated in the library's programs last year and the library is an essential compliment to the educational services that the schools provide. A high quality library is the core of an intellectually active community.

Why was expansion needed? The recent PSA-Dewberry study reviewed the heavy use of the library and calculated that the space needs were about 40,000 square feet. Currently the library operates out of 15,000 square feet. In addition the State of Virginia was finalizing library rating standards. Falls Church would meet the Class A standards under many of the measures that the State would be using except the space rating which was in the lowest acceptable level and below the desired category.

In addition the library was critically short of meeting space for the children and adult programs, many of which were over 100 persons at a time.

Finally, as everyone will acknowledge, the lack of parking at the library was a huge problem that just has to be fixed. This was not a problem that could be put off for another 10 or 15 years.

The good news and the third point was that this was a problem with a comparatively inexpensive solution. The proposed total package for the CIP was over \$6 million to address these problems; however the package was really made up of three specific elements. The first, involving land and building acquisition and remodeling, was about \$2 million; the second involving some construction was about \$4 million; and the third piece involving both of the above and some additional land acquisition for parking comes to around \$6 million. Each of those elements could be funded as a discreet package.

Regarding what they were asking of the Planning Commission, Mr. Peterson, in speaking for the Board, said that they regretted the City choosing not to recommend the library expansion in the CIP. They understood however that the City was not so much opposed to expanding the library as much as concerned about staying under the cap for the CIP investments. Given that, he thought everyone agreed that expanding the library to meet those needs would be great if they could make it happen. The key question was just how to do that.

He asked the Planning Commission to please include in the CIP for 2011 at least the \$2 million which was the down payment request offered by the Board. Only with this minimum funding could they continue the essential work over the next year of engaging the public, in reviewing options and developing more detailed plans.

Finally he asked the Planning Commission consider treating the City's facility renovation at both the City Hall and the library as a single project and a single line item within the CIP. He thought that the public referendum that would be needed to approve the City building renovations was more likely to be approved if

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voters believed that it included both the library expansion as well as the security measures and other improvements to City Hall.

In conclusion, Mr. Peterson reiterated this cherished Falls Church institution was badly in need of expansion to maintain the high standards everyone expected. The good news was that this could be done at a low cost and over time but it must start now. The Library Board stood ready to work with the Planning Commission to refine their proposal and to engage the public in this important work and he offered to answer questions now or in worksession.

Ms. Rodgers inquired if the library would be included in the worksession this evening, which Ms. Mester replied it was;  
Ms. Rodgers said she would defer her questions until then.

5. PLANNING DIRECTOR'S REPORT/WORKSESSION/SCHEDULE:

Chair Lawrence welcomed Ms. Cotellessa to her first official meeting.

Ms. Cotellessa suggested for the record that Mr. Peterson be asked to submit his written testimony for the record because when the record of the public hearing goes to the City Council, they wouldn't have the benefit of his earlier comments if they're taking excerpts on the CIP.

Ms. Rodgers requested that the written comments be provided to the planning commissioners as well.

Ms. Cotellessa presented an overview of the evening's agenda, which included the public hearing on the Capital Improvements Program. The end of the regular meeting would be recessing into a worksession for question and answer on various aspects of the Capital Improvements Program. The public hearing would be continued to the next meeting on February 2nd, as would the worksession on the Capital Improvement Program. The final meeting as scheduled would be for the 17th of February for a Capital Improvements Program recommendation to the City Council. The public hearing would be continued all the way through and there would be a couple more worksessions as they go through this process.

Following the regular meeting this evening at worksession would be a pending site plan for the Center City South Apartments. There had been some changes to the previously submitted site plan that would be discussed in worksession this evening.

For the next meeting on Monday, February 2nd, there was a joint worksession scheduled with the City Council which would begin at 7 o'clock. The purpose of that was to receive a presentation on an application for a conditional rezoning at the intersection of Lee and Park Avenue, after which they would have the regular Planning Commission meeting and worksessions.

Ms. Cotellessa drew attention to the fact the regular meeting of February 17th was on a Tuesday because of the Monday holiday that week. What was currently scheduled on that date was the final recommendation on the Capital Improvement Program.

Ms. Hockenberry asked if there had been any word from Atlantic Realty, to which Ms. Cotellessa replied there had not.

6. OLD BUSINESS:

A. CAPITAL IMPROVEMENTS PROGRAM (CIP) for FISCAL YEARS 2010-2014

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Miss Mester had nothing to add to the staff report that she presented on January 5th. She did want to highlight the topics or the programs for discussion in worksession this evening, which would be the school two projects. The chairman of the school board and the superintendent was present this evening for that; the tax completion software, and the Commissioner of Revenue was anticipated to join them. They would have the public safety/fire stations, and Mr. Paul Schomburg was present for that. The library discussion was scheduled and present were the Library Board of Trustees and the director. The final topic would be Recreation and Parks with the park master plan and Big Chimneys. It was anticipated members of the advisory board and Mr. Herman would be joining them once they finished with Council. Chief Reitze was doing photo red ordinance and Ms. Mester anticipated by the time they got to public safety, he would join them.

**MOTION:** Ms. Hockenberry moved, and Ms. Rodgers seconded, that the consideration of the Capital Improvements Program be continued until February 2nd for a public hearing.

Ms. Cotellessa reminded Chair Lawrence to open the item to the public for comments.

The Chair opened the item to the public. Hearing no response, the Chair closed the item to the public.

Upon voice vote, the motion passed unanimously.

#### **B. APPOINTMENTS OF PLANNING COMMISSIONERS TO BOARDS, COMMISSIONS AND COMMITTEES**

Chair Lawrence noted he had spoken with all of the commissioners regarding appointments. Several of the groups were made inactive and if there was a need to get people appointed again, they could do that. Chair Lawrence asked the commissioners to state any objections if they had them to his suggestions.

Chair Lawrence announced the following appointments:

The Architectural Advisory Board: Mr. Kearney.  
The Arts and Cultural Task Force: Ms. Hockenberry.

Chair Lawrence noted City Council did the actual appointment.

The Citizens Advisory Committee on Transportation: Mr. Wodiska.  
The Economic Development Authority: Ms. Teates.

Chair Lawrence hoped to get to quite a few of those meetings also.

The Historical Commission: Mr. Meeks, who Chair Lawrence noted had not yet arrived.

The Housing Commission: Ms. Teates.

The Library Board: Chair Lawrence would remain.

The Advisory Board, Recreation and Parks: Ms. Rodgers would stay on there and would be appointed for two years as required by the rules.

Chair Lawrence asked since Ms. Rodgers was actually a member, would a motion be needed or should they just treat it as a regular liaison.

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Ms. Cotellessa informed Chair Lawrence she didn't know the answer to that but thought a motion solidified it either way.

Chair Lawrence remarked the Rules of Procedure were already set: The Chair, Chair Lawrence, the Vice Chair, Ms. Teates, and the most recent former chair, Ms. Rodgers.

The Tree Commission: Ms. Hockenberry.

The Zoning Ordinance Advisory Committee: Ms. Rodgers.

Ms. Cotellessa asked if it was possible to have alternates for the ZOAC.

Chair Lawrence said they would need to first find out whether Ms. Sanders and Ms. Fauber were going to stay on. He noted they were put on there not because they were Planning Commission members but because of their experience; but if alternates were needed, they would provide alternates.

Ms. Cotellessa didn't have a final answer on that. The question had been raised and would be carried forward to the next meeting.

Chair Lawrence asked the commissioners if anyone had any objection to the appointments, there was no response indicating such.

Ms. Mester made a point of clarification on the Arts and Cultural Committee, City Council had already acted on that in terms of a Planning Commission member as a slot, so there wouldn't be an additional vote taken by Council and whoever was appointed would fill in that slot.

Chair Lawrence asked if the fact Council had appointed Ms. Budetti didn't matter because it was a planning commissioner slot. Ms. Mester replied it was a Planning Commission slot as she had set up the task force. It was by the slot position, not the person. The Commission's action would be the final action required.

It was determined a motion was not necessary for the appointments since they were internal matters and a motion had not been done before. Ms. Cotellessa added that Chair Lawrence had advised the commissioners the appointments would take effect barring objection and there were no objections raised.

#### **C. ANNUAL REPORT TO THE CITY COUNCIL**

Mr. Fuller provided a 1995 version of an annual report but commented what had been provided was a similar format and it was pulled together the same way as the 1995 report.

Chair Lawrence asked if any commissioner had any comments to specific things and heard no response.

Chair Lawrence raised a question on page 3, line 96, where it said "recommended approval to the City Council." He thought that had resulted in a tie, with a 3-3 vote, as to the special exception for 706 height bonus.

Ms. Cotellessa offered to check that.

Chair Lawrence asked if there was any specific order of the items listed as

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accomplishments, which Ms. Cotellessa replied there was not.

Ms. Teates called attention to line 74 and 85, where she noted she was missing from there. She remembered being at that meeting.

Ms. Rodgers drew attention to the votes which recommended approval but did not give the vote outcome and said it should all be consistent.

Chair Lawrence added unless it's a voice vote, then both the yeas and nays should be put down.

Chair Lawrence asked as a compilation should they put down the total number of public hearings and worksessions held.

Ms. Cotellessa said they could put the exact number of public hearings.

Ms. Teates noted on line 136 talking about motor vehicle sales, it says minutes were missing. She didn't remember ever not having minutes from a meeting.

Mr. Fuller advised her that the minutes from September of last year had no agenda items but a meeting had been required to be held. He had requested the recording secretary to provide that.

(Mr. Meeks arrived on the dais.)

Ms. Teates thanked Ms. Debra Gee for putting the report together so quickly. She acknowledged how much time it took and appreciated the work. Ms. Hockenberry also voiced her appreciation and added Ms. Teates and herself needed it for a meeting next month. Ms. Teates further requested an electronic copy.

#### D. RETREAT PLANNING

Ms. Cotellessa reported on the various options available in response to the request by the planning commissioners to have a half day retreat and noted the memo the commissioners had summarized some of those options.

She summarized issues that were mentioned for discussion, which included the City Council's newly adopted vision and what implications that might have for their work program during the coming year; to talk about what would be involved in reviewing the Comprehensive Plan as required by State Code in 2010 to see if it needed an update and what would be involved in that; site plan timing and procedures. There had been some issues with special exceptions and rezonings, a lot of conceptual development plans going through City Council and the Planning Commission and then having site plan issues still unresolved, when the Planning Commission should be doing basically administrative acts at the end of that process. Also the timing of input from groups like the EDA or the Architectural Review Board; some of the meeting procedures, especially how meetings are conducted, and motions.

They could also talk about the options for planning commissioner training and bringing somebody in to talk about that.

After discussion among the commissioners, it was determined the retreat would be held on February 21, 2009, from 9 to 1, at the Northern Virginia Regional Authority.

Chair Lawrence asked Ms. Cotellessa to contact Mike Chandler about his availability

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in March to do the second part of the retreat.

7. NEW BUSINESS: None.

8. OLD BUSINESS:

#### **AMENDMENTS TO PLANNING COMMISSION RULES OF PROCEDURE**

Chair Lawrence went through the changes to the Rules of Procedure. He noted they hadn't been looked at in awhile so it was good to actually go through and read them again in detail.

The main changes were on page 3, a paragraph was added just updating the fact that the Comp Plan was reviewed again and they would likely review it again in 2010.

Page 6, Ms. Teates, Ms. Rodgers, and Chair Lawrence suggested that the commissioners adhere to the ethical principals and planning guidelines of the American Planning Association. They excerpted the part applicable to commissioners but not the ones that were for certified professional planners because those were not

guidelines, but were mandatory professional requirements.

Chair Lawrence related they included things such as being prepared, being ready, and treating everyone equally and properly, which were things they already did.

On page 9 was added that every member needed to go through the Virginia Certified Planning Commission Course. Two members had just gone through it, two were going through it, and the three new members had expressed a lot of interest doing it.

Ms. Cotellessa advised the commission the course was sometimes hard to get into. They only offered it a couple times a year and there was several months between sessions often. Having a requirement to complete it in one cycle depending on budget or if those courses were full, might be difficult to achieve. She suggested the wording say "Encourage to start the program within a year," because that would give them a couple of cycles for them to get through it.

Not hearing any objections, Chair Lawrence agreed that it would read a member would have to get into a course within that first year.

Another small change Chair Lawrence mentioned was on page 17 which he hoped would start after their next meeting. They had never adopted the agenda and he never understood why. They had adopted changes to it but not the actual agenda. It was recommended that be started as a housekeeping rule.

Chair Lawrence drew attention to page 20, what looked like a fairly major change was actually minor. Section E read "The yeas and nays of each recorded vote shall be recorded in the minutes of the proceedings." Section F read "The secretary shall record the majority vote of members on --" and listed ten items. They saw no reason that the majority should only be listed on anything so Section F was deleted and every recorded vote has to be recorded with all the yeas and nays.

Ms. Hockenberry inquired if that included the synopsis.

Chair Lawrence asked if the synopsis needed to be specified. He wanted anything in writing that talked about a recorded vote to record all the yeas and nays.

Ms. Cotellessa advised them to just put in "all proceedings."

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Chair Lawrence said on page 21 a change was made because they said they needed to establish a work program with projects having priorities for the ensuing year. It was thought a work program sounded rather odd, so it was changed to establish a program with priorities, which made it general enough.

Ms. Hockenberry asked if motions that were written out could be provided to the commissioners.

Chair Lawrence noted in the past there had been unnecessary confusion where people didn't know the exact language they needed to make a motion and asked if the motion might be in writing so that if changes needed to be made, they could be made easily and would avoid confusion.

Ms. Cotellessa asked if they wanted a sample motion to approve and a sample motion to deny with the appropriate language or if they just wanted a motion to approve.

Chair Lawrence advised her it would be a motion to approve specifically for that item, not just something that was generic.

Ms. Cotellessa said they would give both motions so the commissioners could make the choice they wanted but it would be specific to that particular item.

Ms. Hockenberry pointed out that was what City Council had and it made it a lot easier.

Ms. Rodgers expressed reservations, noting many times conditions were put in a motion after further discussion and from what the applicants or petitioners had presented. She didn't want to have a cut and dry motion that conditions couldn't be added on.

Chair Lawrence explained his idea was the template would be double spaced for any necessary changes, and would be something to start from rather than doing it from scratch. He had not intended that changes couldn't be made or any amendments agreed to couldn't be made.

Ms. Cotellessa said they were looking at a template which at the top would contain all of the details on a particular project, listing the number on the application, whether it said a motion to approve with the following conditions and then just leave a blank for the commissioners to fill in those conditions as they liked. It would read that it could be amended by the following conditions or to approve or deny as presented.

Chair Lawrence suggested one change could be the recording secretary could read the motion back so everyone understood what it was they were voting on since there had been some confusion in the past.

Ms. Rodgers reiterated she didn't want the person in charge of making the motion to feel constrained by what was presented to them and as long as there was some flexibility, she had no objection.

Chair Lawrence wanted to make sure it was understood the template would not say they could only say what was on it, regardless of what anyone else said, and it wouldn't constrain anybody else's ability to make an amendment to the motion. Just that it would hopefully make things easier for everyone.

Ms. Teates, in looking at the cover of the Rules of Procedure, asked if the mailing list still existed and if the phone number was still valid.

Mr. Fuller advised her the phone number was correct for the main office number for planning staff. A mailing list was maintained and items were sent out electronically as well as by mail.

Ms. Teates thought mentioning information was available on the web site was a good idea. Chair Lawrence added an important change that was not mentioned was on page 6 where it said that from now on they wanted all materials for the current meeting available to the public electronically, something they had heard a lot about from the public.

Ms. Cotellessa related her concern was that much of the material they receive was in large document format that they currently had no way to scan and put on the web site. Things sometimes came in at the last minute and getting it in PDF format was difficult. She asked if the language could read "Make materials for its current meeting available to the public electronically to the extent possible," as opposed to "all materials."

Chair Lawrence understood the difficulty with site plans and was happy to make the change, but he reiterated he wanted absolutely everything possible to be available electronically. While site plans were difficult, they could also be made into PDFs.

He suggested putting the burden more on the applicant and perhaps change the application procedures saying that site plans needed to be provided in that format. He wanted to have as much as possible available electronically as quickly as possible.

Ms. Cotellessa advised the commission they didn't have PDF software but they would get it and try to get started on it.

Ms. Hockenberry suggested double checking with the City Clerk because certain items could crash the system.

Ms. Cotellessa added putting large documents in PDF format was very time consuming but they would do everything they could to have applicants submit electronically and to convert the staff reports and other materials.

Ms. Hockenberry asked if a caveat should be added that it would be as much as possible until future software becomes available, so that it was not so cut and dry and people would wonder why it wasn't being done.

Chair Lawrence said the change should say "Make materials available to the greatest extent possible," and if they had to look at it again because it was not working for whatever reason, they would do that.

In response to Chair Lawrence's inquiry whether to officially continue the matter, Ms. Cotellessa suggested staff be directed to make the changes and bring it back for discussion and vote at the next meeting.

9. MINUTES FOR APPROVAL: 1 December 2008  
5 January 2009

Chair Lawrence appreciated delaying the approval of the December 1st minutes and announced none of the previous commissioners had any changes.

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Ms. Teates moved and Ms. Hockenberry seconded, to approve the minutes of December 1, 2008, as amended previously.

Upon voice vote, the motion passed unanimously. (Mr. Kearney, Mr. Meeks and Mr. Wodiska abstained.)

Ms. Teates moved, and Ms. Hockenberry seconded, to approve the minutes of January 5, 2009, as amended.

Upon roll call vote, the motion passed unanimously.

Mr. Wodiska asked the staff to provide information regarding the planning commissioner course that was previously mentioned because if it was tough to get into those classes, the more time, the better.

10. ADJOURNMENT:

Ms. Teates moved, and Ms. Rodgers seconded, a motion to adjourn. The meeting was adjourned at 8:41 p.m.

Immediately following the meeting the Planning Commission met in worksessions as follows:

- A. Capital Improvement Program, (CIP). Topics to be discussed include: Administrative Services; Public Safety; Community Services, (Library and Recreation and Parks); and Schools (Topics Tentative) (Mester/ Hockenberry).
- B. Application 20080864, Site Plan for the City Center South Apartments/360 Office Application 20080865, Subdivision, (Consolidation) for City Center South Apartments/360 Office, Three Lots to Two Lots (Fuller/Rodgers).

Respectfully Submitted,

Noted and Approved:

Ann Hieber  
Recording Secretary

Suzanne Cotellessa, AICP  
Planning Director

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